



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Minutes - October 6, 1993 (Regular Meeting)


MEETING DATE: October 20, 1993

PREPARED BY: City Clerk

RECOMMENDED ACTION: That the City Council approve the minutes of October 6, 1993 (Regular Meeting), as prepared.

BACKGROUND INFORMATION: Attached is a copy of the minutes for October 6, 1993 (Regular Meeting), marked Exhibit A.

FUNDING: None required.


Jennifer M. Perrin
City Clerk

JMP

COUNCOM7/TXTA.02J/COUNCOM

APPROVED: _____

THOMAS A. PETERSON
City Manager



To: Council Members
From: Councilman Ray Davenport
Date: October 18, 1993
Subject: Mayor Pennino's October 6, 1993 letter.

Mayor Pennino is being used by City Manager Tom Peterson to escalate and facilitate Tom Peterson's personal agenda.

Tom Peterson made unfounded allegations against me. Without ascertaining the truthfulness of the City Manager's diatribe by giving me the courtesy of rebuttal, the Mayor perpetuated the libel against me.

The Mayor has by his letter of October 6, 1993, gone on record to support hearsay, innuendo and falsehoods. With his letter he has deceived other council members and the public.

The Mayor continues a false accusation that I entered the City Managers office "in his absence and without his consent, "(etc.)....The Mayor makes quotations which are untrue at the direction of the City Manager, passes judgment on my conduct and admitted publicly he did not witness even one accusation which he proclaims as true, nor does he make an offer of proof.

The fact is I had consent by the City Manager-even though it is not needed. A school principal does not need consent or need to notify their teachers before they enter a classroom. The City Manager is an employee of the citizens of Lodi, overseen by council members.

Any reasonable person would agree that when confronted with paranoid suspicion one had better take steps to protect himself. I then used a tape recorder as a reasonable means to establish a record of conversation and a camera to verify what the eye beholds. (example: Mr. Peterson's Kings Crown initials "F.O.T." displayed in the City Manager's office above the American Flag.)

The Mayor points out that council members have a duty to maintain a safe and productive work environment for our employees. Agreed, but the duty is a two-way street. The intent of the Mayor's statement suggests council members have a duty to protect the City Manager. What about the safe and productive work environment for all our employees, including protection from the administration's taking of their jobs unjustly, without cause? How about council members protection from the City Manager?

Tom Peterson. City Manager has breached his contract, specifically Lodi Municipal Code Section 2.12.060. This is why we need to review all grievances for the past five years.

The City Manager forgot to tell the Mayor how Jerry Glenn breaches people's offices at will; ie. Bill Hinkle's office and there are other employees who have a master key to all city office doors.

The Mayor supports secret meetings with the City Manager, he does it routinely. I have asked to attend these meetings and have been denied the right to attend on numerous occasions publicly and privately.

History repeats itself. The City Manager's letter to me of November 4, 1987, which was hand delivered out of the Lodi jurisdiction by two Lodi Police officers at the dinner hour, precluded me from going to any Lodi Fire Department Stations 1, 2, or 3, public buildings and ordered me not to speak to any fireman; violation of free speech and right of association. Additionally he told other fireman (my friends) not to speak to me.

Now he is attempting to employ council members individually to further circumscribe my legitimate conduct. This policy would hamstring any council member's attempt to get information from the City Manager. It would give him the right to declare whether the council member was on "legitimate" business and the right to define "disruption of normal business."

- All I wanted was answers to questions that are necessary to my role as an elected representative. If the response to such a legitimate request causes a retaliatory policy forbidding entrance to the City Manager-and the continued non-response of the City Manager-the City Council becomes meaningless!

Maybe we need more regulation, maybe we don't even need a City Council, just a City Manager and his hand chosen staff. If this were the scenario the City Manager would not have "distractors," as he calls them. (People who dare disagree with him.) The City Manager could just be the King, wear his crown with the "F.O.T." lettering, and raise revenue in any way he wanted.

Go ahead take the City Manager's advice, he will protect you as long as you are in his favor. I believe that all of you are already aware of this and that is why you appease his every whim even over common sense and citizens obvious objections.

The Mayor is "deeply saddened" that you the council collectively must abdicate your responsibilities and give the City Manager even more power than he already wields.

I am deeply saddened for the citizens of Lodi if our leadership, the council members, elected by the people, allows the staff to control them.

Where is it written and why do we want to give one person, the City Manager MORE power than the council members (elected officials) individually and collectively? This irrational nonsensical suggestion by the Mayor in effect undermines and extinguishes the need for the council.

The council members are not obligated to believe or act at the direction of the City Manager, the opposite is true. There is no need for this policy. It is an ill-conceived power play, based on a spurious foundation. Vote against it and save the independence of the elected council.

cc: Bob McNatt, City Attorney
Tom Peterson, City Manager